

Town of



AMHERST Massachusetts

TOWN HALL
4 BOLTWOOD AVENUE
AMHERST, MA 01002-2301

TO: Chief Livingstone, Amherst Police Department

FROM: Judith Arcamo, Town Manager's Office

DATE: May 3, 2010

RE: Transfer of License All Alcohol Hotel/Inn License to The Lord Jeffery Inn, Inc. LLC d/b/a The Lord Jefferey Inc., LLC.

Attached is a request for a Transfer of License All Alcohol Hotel/Inn License to The Lord Jeffery Inn, Inc. LLC d/b/a The Lord Jefferey Inc., LLC. (Manager: Peter Shea). Please review this application and forward your recommendation to me as soon as possible as the Select Board will vote on the application on May 20, 2010.

Thank you.

Approved/Denied:


Scott Livingstone, Chief of Police

Date: 5/17/2010



COPY

The Commonwealth of Massachusetts

Alcoholic Beverage Control Commission
239 Causeway Street
Boston, MA 02114

Application for Alcoholic Beverage License for Retail Sale

City/Town: Amherst

- | | |
|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director |
| <input checked="" type="checkbox"/> Transfer of License | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Transfer of Stock | (specify) |

SECTION 1:

Name to Appear on the License: The Lord Jeffery Inn, LLC

Business Name (d/b/a, if different): _____

Manager of Record: Peter J. Shea FID of Licensee: 27-2122139

Address of Premises: 30 Boltwood Ave, Amherst, MA Zip Code: 01002

Phone Number of Premises: 413-542-2807

SECTION 2: Type of License: (check one only)

- | | | |
|---|--|--|
| <input type="checkbox"/> Club | <input type="checkbox"/> Package Store | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> General on Premise | <input type="checkbox"/> Restaurant | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Hotel / Inn | <input type="checkbox"/> Tavern | |

SECTION 3: License Category

- | | |
|---|--|
| <input checked="" type="checkbox"/> All Alcoholic | <input type="checkbox"/> Wine and Malt |
| <input type="checkbox"/> Malt Only | <input type="checkbox"/> Wine Only |
| <input type="checkbox"/> Wine and Malt with Cordials Permit | |

SECTION 4: License Class

- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> Annual | <input type="checkbox"/> Seasonal |
|--|-----------------------------------|

SECTION 5: Person (attorney if applicable) who can be contacted concerning this application

Name: Nancy Brownfield

Address: Amherst College, Treasurer's Office, PO Box 5000, Amherst, MA 01002-5000

Phone Number: 413-542-2807

SECTION 6: Give a full description of the premises to be licensed, including location of all entrance and exits: Three story brick building with forty eight guest rooms, cocktail lounge, main dining room, five private dining rooms and garden area. 3 entrances/exits: 1 on Spring Street; 2 on Boltwood Avenue

SECTION 6(a):
Seating Capacity: 60 Occupancy Number: 60%

SECTION 7:
Applicant is an:

() Association () Corporation () Individual
() Partnership () Non-profit Corporation (X) LLC

SECTION 8 If applicant is an individual or partnership – List for individual or each partner:

FULL NAME	HOME ADDRESS	DOB	SSN
Peter J. Shea	8 Kingman Road Amherst, MA	7/8/52	

SECTION 8(a): Is individual or all partners United States Citizens? (X)Yes ()No

If no, specify citizenship: _____

SECTION 8(b): Is individual or all partners involved at least twenty-one years old? (X)Yes ()No

SECTION 9: If the applicant is a corporation, complete the following:

State of Incorporation: Massachusetts Date of Incorporation: January 15, 2009
Fiscal Year Ends: June 30 Date qualified to do business in MA: 1/15/09

SECTION 9(a): How many shares of stock are authorized: N/A How many are issued: N/A

Provide in the box the names if all officers, directors, stockholders and manager.
Use * to indicate director.

Title	Full Name	Home Address	DOB	SSN	Shares of Stock Owned or Controlled
Member	Peter J. Shea	8 Kingman Rd Amherst, MA	7/8/52	*	N/A
Manager	Peter J. Shea	8 Kingman Rd Amherst, MA	7/8/52	*	N/A

SSN

SECTION 9(b): Attach a copy of the vote by the Board of Directors appointing a manager or principal representatives. See attached Operating Agreement. Manager and Member are appointed in Agreement.

SECTION 9(c): If the applicant is a corporation, answer the following questions:

For Package Store (§15) license:

- A. Are all Directors United States Citizens? () Yes () No N/A
 B. Are a majority of Directors Massachusetts Residents? () Yes () No N/A
 C. Is the Manager or Principal Representative a U.S. Citizen? (X) Yes () No

For Club, General On Premise, Hotel, Restaurant, Tavern, Veterans Club and Other (§12) license:

- A. Are at least 50% of the Directors United States Citizens? () Yes () No N/A
 B. Is the Manager or Principal Representative a U.S. Citizen? (X) Yes () No

SECTION 10: If the applicant is an association, provide in the box below the names of all association officers and members.

Title	Full Name	Home Address	DOB	SSN	Phone Number
Manager	Peter J. Shea	8 Kingman Rd Amherst, MA	7/8/52	*	413-542-2325
Member	Peter J. Shea	8 Kingman Rd Amherst, MA	7/8/52	*	413-542-2325

SSN

SECTION 10(b): Attach a list of all members of the LLC.

SECTION 11: Will there be any construction, remodeling, redecorating, or building on the premises for this license? (X) Yes () No (If yes complete a,b,c and d)

- a.) Give an exact description of the construction, remodeling, redecorating or building on the premises: The restaurant, bar, and kitchens are incorporated in the Lord Jeffery

Inn which will be undergoing a comprehensive renovation. All the interior finishes will be re-done and furniture and equipment will be replaced. An existing enclosed terrace will be restored to its historic original form as a covered, 3 season porch. Design is in process and specific details are not yet available.

- b.) What are the estimated costs: Estimated costs are in the range of \$400,000 - \$500,000

but have not at this point been isolated from the overall Inn renovation project budget.

- c.) What is the construction schedule: Construction is scheduled to begin April 2010 and be completed for reopening in April 2011.

- d.) State all sources of construction financing: Amherst College

SECTION 12:

Do you own the premises? () Yes (X) No. If yes, please respond to the question below.

() As an individual () Jointly _____ Name of Realty Trust

_____ Name of Corporation

() Other _____

(If you do not own the premises to be licensed, provide the following information about the owner.)

Name: Amherst College Phone Number: 413-542-2325

Address: 155 South Pleasant Street, Amherst, MA 01002-5000

SECTION 12(a): If a lease or rental, provide the following information: ** per _____
(month, year, etc)

Beginning date of Lease _____ End date of Lease _____
(Provide Copy of Lease) **Yet to be leased.

FINANCIAL

SECTION 13:

What assets were purchased and cost? N/A

Equipment: \$ _____ Furniture: \$ _____ Goodwill: \$ _____

Inventory: \$ _____ License: \$ _____ Premise: \$ _____

SECTION 13(a): Total Purchase Price: \$ _____

SECTION 13(b): Identify below all sources of financing:

Mortgage: \$ _____ Seller: \$ _____

Cash: \$ _____ Other: \$ _____
(specify)

Document all sources e.g. Loan Papers, Checking Accounts, Stock Sales, etc.

SECTION 13(c): All other terms and conditions: _____
(provide purchase and sale documents)

SECTION 13(d): Are you seeking approval for license to be pledged: ()Yes ()No

If yes, to whom: _____

SECTION 13(e): Will the inventory be pledged: ()Yes ()No

If yes, to whom: _____

SECTION 13(f): If a corporation, are you seeking approval for any corporate stock to be pledged:

()Yes ()No

If yes, to whom: _____

OWNERSHIP INTERESTS

SECTION 14: State the following information for all persons or entities who will have any direct or indirect beneficial or financial interest in this license:

Full Name	Home Address	DOB	SSN	Phone Number
Amherst College	Treasurer's Office Inc. 155 S. Pleasant St 1821 Amherst, MA 01002		*	413-542-2325

SSN

SECTION 14(a): Describe all types of beneficial or financial interest each person or entity identified in Question 14 will have in this license:

Person or Entity	Beneficial or Financial Interest
Amherst College	N/A

SECTION 14(b): Does any person or entity listed in Question 14 have any direct or indirect beneficial or financial interest in any other license granted under Chapter 138?

() Yes () No

Name	Type of License	License Name and Address	Description of Interest

SECTION 14(c): Has any person or entity named in Question 14 ever held a license or a beneficial interest in a license issued under Chapter 138 which is not presently held?

() Yes () No

(If yes, provide the following for each person or entity.)

Name	Type of License	License Name and Address	Date Ownership Surrendered

SECTION 14(d): Describe how all licenses in Question 14c were terminated (e.g. transfer of ownership, non-renewal, surrender, etc.)

Date	License	Reason why the License was Terminated

SECTION 14(e): Has any person or entity named in Question 14 ever had a license suspended, revoked or cancelled?

() Yes (X) No

(If yes, provide the following information)

Date	License	Reason why the License was suspended, revoked or cancelled

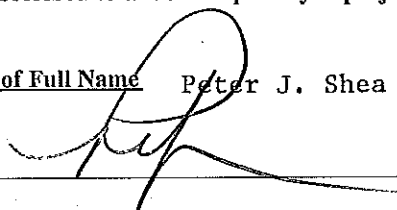
SECTION 14(f): Has any person or entity named in Question 14 ever been convicted of violating any state, federal or military law?

() Yes (XX) No

- SECTION 15:**
- a. Each individual applicant must sign.
 - b. Applications by a partnership must be signed by a majority of the partners.
 - c. Applications by a corporation must be signed by an officer authorized by a vote of the corporations Board of Directors.
 - d. Applications by an association must be signed by a majority of the members if the governing body. All signatures must have answered question 10.
 - e. False information or failure to disclose are reasons to revoke a license or deny a license application.

Signed and subscribed to under the penalty of perjury, this 24th day of March ~~XXXX~~ 2010.

By: Signature of Full Name Peter J. Shea Title Member and Manager





The Commonwealth of Massachusetts
ALCOHOLIC BEVERAGES CONTROL COMMISSION

FORM A
LICENSEE PERSONAL INFORMATION SHEET

THIS FORM MUST BE COMPLETED FOR EACH:

- ☐ A. NEW LICENSE APPLICANT
- ☐ B. APPOINTMENT OR CHANGE OF MANAGER
IN A CORPORATION
- ☒ C. TRANSFER OF LICENSE (RETAIL ONLY-SEC. 12 & SEC. 15)

(Please check which transaction is the subject of an application accompanying this Form A.)

PLEASE TYPE OR PRINT ALL INFORMATION

ALL QUESTIONS MUST BE ANSWERED AND TELEPHONE NUMBERS PROVIDED OR
 APPLICATION WILL NOT BE ACCEPTED.

1. LICENSEE NAME The Lord Jeffery Inn, LLC
(NAME AS IT WILL APPEAR ON THE LICENSE)
2. NAME OF (PROPOSED) MANAGER _____
3. SOCIAL SECURITY NUMBER _____
4. HOME (STREET) ADDRESS 8 Kingman Road, Amherst, MA 01002
5. AREA CODE AND TELEPHONE NUMBER (S): (Give both, your home telephone and a number at which you can be reached during the day).
 DAY TIME # 413-542-2325 HOME# 413-549-4957
6. PLACE OF BIRTH: Holyoke, MA 7. DATE OF BIRTH: 7/8/52
8. REGISTERED VOTER: ☒ YES ☐ NO 8A. WHERE?: Amherst, MA
9. ARE YOU A U. S. CITIZEN: ☒ YES ☐ NO
10. COURT AND DATE OF NATURALIZATION (IF APPLICABLE): N/A
(Submit proof of citizenship and/or naturalization such as Voter=s Certificate, Birth Certificate or Naturalization Papers)

11. FATHER'S NAME: Edward J. Shea 12. MOTHER'S MAIDEN NAME: Moriarty

13. IDENTIFY YOUR CRIMINAL RECORD, (Massachusetts, Military, any other State or Federal): ANY OTHER ARREST OR APPEARANCE IN CRIMINAL COURT CHARGED WITH A CRIMINAL OFFENSE REGARDLESS OF FINAL DISPOSITION:
☐ YES ☒ NO (MUST CHECK EITHER YES OR NO)

IF YES, PLEASE DESCRIBE OFFENSE (S) SPECIFIC CHARGE AND DISPOSITION (FINE, PENALTY, ETC.)

14. PRIOR EXPERIENCE IN THE LIQUOR INDUSTRY: ☐ YES ☒ NO
IF YES, PLEASE DESCRIBE:

15. FINANCIAL INTEREST, DIRECT OR INDIRECT, IN THIS OR ANY OTHER LIQUOR LICENSE, PERMIT OR CERTIFICATE: ☐ YES ☒ NO

IF YES, PLEASE DESCRIBE:

16. EMPLOYMENT FOR THE LAST TEN YEARS (Dates, Position, Employer, Address and if known, Telephone Numbers):

/1/02 -
resent Treasurer, Amherst College, 155 South Pleasant Street, Amherst, MA 413-542-2325
/1/98-
/1/02 Associate Treasurer, Amherst College, 155 S. Pleasant St, Amherst, MA 413-542-2325

17. HOURS PER WEEK TO BE SPENT ON THE LICENSED PREMISES: To be determined - building undergoing renovations

18. I HEREBY SWEAR THAT UNDER THE PAINS AND PENALTIES OF PERJURY THAT THE INFORMATION I HAVE GIVEN IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY:  12/22/09
PROPOSED MANAGER SIGNATURE DATE
Peter J. Shea

TOWN OF Amherst

December 13, 2009

TO THE LICENSING BOARD

The undersigned licensee Baron Jeff Corp.

respectfully petitions for the transfer of the Annual
(Class of License)

beverages license now exercised by the said licensee on the premises located at
30 Boltwood Avenue, Amherst, MA

whose address is c/o Pinnacle Hospitality Group, 10 Tower Lane, Avon, CT 06001
(If present licensee is a corporation, fill in the following paragraph)

The said licensee is a corporation duly organized under the laws of the Commonwealth of Massachusetts, and its officers, directors and stockholders, their residences, and shares owned by each are as follows:

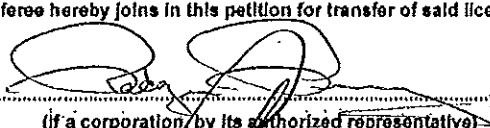
(NAME)	(ADDRESS)	(SHARES)
FROM:	(PLACE AN * BEFORE THE NAME OF EACH DIRECTOR.)	
<u>Rodger Perry</u> (president)	<u>56 Terrys Plain Road, Simsbury, CT 06070</u>	<u>-0-</u>
<u>Ivy Lenihan</u> (treasurer)	<u>22 Rimrock Dr., Belchertown, MA 01007</u>	<u>-0-</u>
<u>Kathy Whitbeck</u> (clerk)	<u>7 Whitbeck Rd., Mt. Washington, MA 01258</u>	<u>-0-</u>

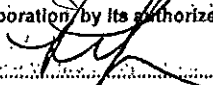
(If proposed transferee is a corporation, fill in the following paragraph.)

The proposed transferee is a corporation duly organized under the laws of said Commonwealth and having a usual place of business in said Amherst, and its officers and stockholders, their residences, and shares owned by each are as follows:

(NAME)	(ADDRESS)	(SHARES)
TO:	(PLACE AN * BEFORE THE NAME OF EACH DIRECTOR.)	
..... (president)
..... (treasurer)
..... (clerk)
<u>Peter J. Shea</u>	<u>8 Kingman Road, Amherst, MA 01002</u>	<u>-0-</u>
<u>Member/Manager</u>		

The above named proposed transferee hereby joins in this petition for transfer of said license, and respectfully petitions the Board to grant such transfer.

SIGNATURE OF LICENSEE  PRESIDENT
(If a corporation, by its authorized representative)

SIGNATURE OF PROPOSED TRANSFeree  Peter J. Shea, Manager
(If a corporation, by its authorized representative)

FORM 983

Rev. 11/05

THE LORD JEFFERY INN, LLC

OPERATING AGREEMENT

Peter J. Shea (the "Member") as the sole member of The Lord Jeffery Inn, LLC (the "LLC") hereby declares this to be the operating agreement of the LLC.

1. The LLC has been formed pursuant to the Massachusetts Limited Liability Company Act (the "Act") by the filing on January 15, 2009 of a Certificate of Organization in the office of the Secretary of the Commonwealth of the Commonwealth of Massachusetts.

2. The purpose of the LLC is to operate an inn and restaurant on the premises known as the Lord Jeffery Inn in Amherst, Massachusetts, including the holding of a liquor license therefor, and to engage in any other lawful act or activity for which a limited liability company may be formed under the Act.

3. The LLC shall have perpetual existence and may be dissolved only by the Member as provided under the Act.

4. The principal office of the LLC shall be c/o Peter J. Shea, Treasurer's Office, College Hall, Amherst College, Amherst, Massachusetts 01002.

5. The initial capital contribution by the Member shall be \$100, provided that the Member may contribute additional capital at any time.

6. The LLC shall be managed by one or more persons from time to time serving as Manager. The initial Manager shall be Peter J. Shea. The Member may remove any Manager and may appoint one or more persons to serve as Manager. Subject to, and except as otherwise provided by, the provisions of this agreement, any Manager may exercise all the powers and privileges granted by the Act, any other law, or this agreement, together with any powers incidental thereto, so far as such powers are necessary or convenient to the conduct, promotion or attainment of the business, property or affairs of the LLC. The Member, by reason of the Member's status as such, shall have no authority to act for or bind the LLC, but only may consent to actions of the Manager or otherwise act as provided by law, subject to the provisions of this Operating Agreement. There need only be one Manager and no Manager need be a Member of the LLC. If there is more than one person serving as Manager and any such person becomes unwilling or unable or ceases to so serve, the remaining person or persons so serving shall serve as Manager or Managers, as the case may be. The Member may from time to time appoint one or more additional Managers. Each Manager shall serve at the pleasure of the Member. If a Manager is removed as Manager or is unwilling or unable or ceases to serve as Manager, the Member may appoint a successor.

7. The books of the LLC shall be kept on the accrual method of accounting.

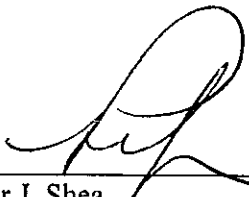
8. It is intended that the LLC shall be a disregarded entity for tax purposes.

9. The last day of the fiscal year of the LLC shall be the last day of June.

10. The LLC shall indemnify and hold the Member and any Manager harmless against any and all claims and demands that are substantially related to the management or operation of the LLC. Such indemnification may include payment by the LLC of expenses incurred in defending a civil or criminal action or proceeding in advance of the final disposition of such action or proceeding, upon receipt of an undertaking by the person indemnified to repay such payment if such person shall be adjudicated to be not entitled to indemnification under this section, which undertaking may be accepted without reference to the financial ability of such person to make repayment. Any such indemnification may be provided although the person to be indemnified is no longer a member or manager. No indemnification shall be provided for any person with respect to any matter as to which he or she shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his action was in the best interest of the LLC.

11. This agreement may be amended at any time by a writing executed by the Member.

Executed effective January 15, 2009.



Peter J. Shea

